

IFW



ALLIA.161APC1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Keipert et al
Serial No. : 10/760,572
Filed : January 20, 2004
For : Amelioration of Ischemic Damage
Using Oxygen Carriers

Examiner : Unknown

Group Art Unit : 3763

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

3/21/05

John Wurst

COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

ATTN: OFFICE OF INITIAL PATENT EXAMINATION
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Sir or Madam:

Applicant received a response for corrected filing receipt (see attached) which stated it was not possible to claim priority to U.S. Serial No. 09/530,075 (now U.S. Patent No. 6,679,859). However, this is the parent application from which this application claims priority. Please add the priority data to depend from U.S. Serial No. 09/530,075. A sheet is attached with that information in red.

Respectfully submitted,

Date: 3/18/05

John Wurst
Registration No. 40,283
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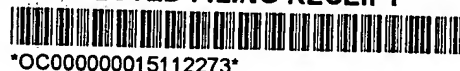
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/760,572	01/20/2004	3763	450	ALLIA.161APC1		13	1

Alliance Pharmaceutical Corp.
 6175 Lusk Blvd.
 San Diego, CA 92121



CONFIRMATION NO. 1050
 CORRECTED FILING RECEIPT



OC000000015112273

Date Mailed: 02/10/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Peter E. Keipert, San Diego, CA;
 N. Simon Faithfull, San Diego, CA;
 Stephen F. Flaim, San Diego, CA;
 Gwen H. Rosenberg, Rancho Santa Fe, CA;

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a continuation of U.S. application
 Foreign Applications Serial No. 09/520,075 now U.S. Patent No. 6,679,89

If Required, Foreign Filing License Granted: 04/29/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/760,572**

Projected Publication Date: 03/03/2005

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

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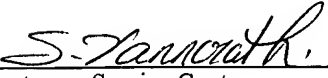
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OC000000015112257

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☐ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☒ A claim for priority cannot be made based on an application filed after the application making the claim.
09/530,075
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.
- ☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.

- ☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.



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